

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

WHOLE WOMAN'S HEALTH, et al.,	§ § §	
v.	§ § §	CAUSE NO. 1:17-CV-00690-LY
KEN PAXTON, et al.,	§ § §	
Defendants.	§ § §	

DEFENDANTS' TRIAL EXHIBIT LIST

Defendants hereby submit the following list of exhibits which Defendants expect to offer at the trial to be held on November 2-8, 2017 (except those to be used for impeachment only). Copies of the exhibits listed below are being provided to Plaintiffs' counsel.

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
1			Texas Senate Bill 8	N/A
2			Dismembered Fetal Remains Post-D&E (photograph)	Response to Motion for TRO, Ex. A (Doc. #41-1 at 2)
3			Dismembered Fetal Arm Post-D&E (photograph)	Response to Motion for TRO, Ex. A (Doc. #41-1 at 3)
4			Dismembered Fetal Leg Post-D&E (photograph)	Response to Motion for TRO, Ex. A (Doc. #41-1 at 4)
5			Planned Parenthood Post-D&E Fetal Remains (video)	Nguyen Depo. Ex. 2
6			Planned Parenthood DeShawn Taylor Abortion Conference D&E Description (video)	Taylor Depo. Ex. 3

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
7			Planned Parenthood Deborah Nucatola Digoxin Use (video)	D004978
8			Texas Department of State Health Services Abortion Data	D001820-D002133
9			Texas Department of State Health Services List of Abortion Providers	D005185-D005186, D005189
10			Texas Department of State Health Services ITOP Form	D001657
11			Texas Department of State Health Services Complications Report Form	D001658
12			Texas Department of State Health Services Summary of Surgical Abortion Complications	D001773-D001777
13			Texas Department of State Health Services Complications Reports 2012-2017	D001660-D001772 D001778-D001819 D002134-D002374
14A			14 LMP Fetus in Utero Illustration	D004964
14B			14 LMP Uterus Illustration	D004955
14C			14 LMP Fetus in Utero Model	D004977
15A			15 LMP Fetus in Utero Illustration	D004965
15B			15 LMP Uterus Illustration	D004956
16A			16 LMP Fetus in Utero Illustration	D004966
16B			16 LMP Uterus Illustration	D004957
16C			16 LMP Fetus in Utero Model	D004976

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
17A			17 LMP Fetus in Utero Illustration	D004967
17B			17 LMP Uterus Illustration	D004958
18A			18 LMP Fetus in Utero Illustration	D004968
18B			18 LMP Uterus Illustration	D004959
18C			18 LMP Fetus in Utero Model	D004975
19A			19 LMP Fetus in Utero Illustration	D004969
19B			19 LMP Uterus Illustration	D004960
20A			20 LMP Fetus in Utero Illustration	D004970
20B			20 LMP Uterus Illustration	D004961
20C			20 LMP Fetus in Utero Model	D004974
21A			21 LMP Fetus in Utero Illustration	D004971
21B			21 LMP Uterus Illustration	D004962
22A			22 LMP Fetus in Utero Illustration	D004972
22B			22 LMP Uterus Illustration	D004963
23			Sopher Clamps	D004973

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
24			Bierer Clamps	D004973
25			Southwestern Complications Reports 2012-2017	D002229-D002284
26			Southwestern Digoxin Log 2015-2017	P00001606-P00001616
27			Southwestern D&E Consent Form	P00000610-P00000612
28			Southwestern Sedation Consent Form	P00000618
29			Southwestern Cervical Dilation Consent Form	P00000620-P00000622
30			Southwestern Digoxin Consent Form	P00000630
31			Southwestern Digoxin Consent Form	P00000631
32			Southwestern Digoxin Invoices	P00000651-P00000653
33			Southwestern D&E Protocol	P00000561-P00000565
34			Alamo Complications Reports 2012-2017	D001746-D001751, P00062172
35			Alamo Complications Log 2015-2017	P00026650
36			Alamo D&E Information Form	P00000464-P00000466
37			Alamo D&E Consent Form	P00000477-P00000479
38			Alamo Standing Order 2-Day D&E	P00053748-P00053751

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
39			Alamo Laminaria Consent Form	P00054843-P00054844
40			Alamo Cervical Prep Consent Form	P00000476
41			Alamo Digoxin Consent Form	P00054842
42			Alamo Executed Consent Forms	P00005101-P00005103
43			Alamo Digoxin Invoices	P00000498-P00000513
44			NAF Sample Protocol re: Fetal Demise	P00026651-P00026653
45			Whole Woman's Health Complications Reports 2012-2017	D002290-D002374
46			Whole Woman's Health Second Trimester Abortion Information	P00000688-P00000692
47			Whole Woman's Health Surgical Abortion Consent Form	P00000695-P00000697
48			Whole Woman's Health Consent for Conscious IV Sedation	P00000681
49			Whole Woman's Health Consent for One-Day D&E Procedures	P00000682-P00000683
50			Whole Woman's Health Medical Charts	P00012156-P00012185
51			Whole Woman's Health Consent for Two-Day D&E Procedures	P00001617-P00001619
52			NAF 2015 Clinical Policy Guidelines	D005116-D005171
53			NAF 2016 Clinical Policy Guidelines	D005052-D005115

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
54			NAF 2017 Clinical Policy Guidelines	D004984-D005051
55			Planned Parenthood Greater Texas Complications Reports 2012-2017	D002151-D002169
56			Planned Parenthood Texas Capital Region Manual of Medical Standards & Guidelines January 2011	P00002730-P00002757
57			Planned Parenthood Greater Texas Digoxin Protocol 2007	P00061195-P00061199
58			Planned Parenthood Greater Texas Digoxin Protocols 2010-2011	P00002753-P00002757
59			Planned Parenthood Greater Texas Digoxin Waiver Letter 2010	P00001632
60			Planned Parenthood Greater Texas Digoxin Waiver Report 2010-2011	P00016523
61			Planned Parenthood Greater Texas Digoxin Consent Forms	P00001626-P00001631
62			Planned Parenthood Greater Texas Digoxin Log 2015	P00001620-P00001621
63			Planned Parenthood Greater Texas Digoxin Waiver Report 2015	P00033593
64			Planned Parenthood Greater Texas Medical Standards and Guidelines 2014	P00002294-P00002315
65			Planned Parenthood Greater Texas One-Day vs Two-Day	P00002843
66			Planned Parenthood Greater Texas Physician List	P00004800
67			Appendix II to Carter Snead Expert Report	Snead Depo. Ex. 2 at 30-35, Snead Depo. Ex. 3 at 5-10
68			Planned Parenthood Federation of America Medical Standards and Guidelines 2007–2017	PPFA0001-PPFA0189 PPFA0192-PPFA0288

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
69			Planned Parenthood Federation of America Model Digoxin Consent Form	PPFA0190-PPFA0191
70			Business Records Declaration of Gillian Dean, dated October 24, 2017	Business Records Declaration of Gillian Dean, on behalf of Planned Parenthood Federation of America
71			Email thread dated August 16, 2013	P00054167-P00054168
72			Email thread dated March 21, 2015	P00054227-P00054228
73			Email thread dated August 12, 2015	P00054255-P00054256
74			Email thread dated July 13, 2017	P00054384
75			Email thread dated July 13, 2017	P00054385-P00054386
76			Email thread dated December 18, 2013	P00033627-P00033628
77			Email thread dated January 14, 2014	P00059886-P00059889
78			Email thread dated February 19, 2015, with attachment	P00061185-P00061188, P00061191
79			Email thread dated September 26, 2015	P00054261-P00054262
80			Email thread dated September 26, 2015	P00054263-P00054266
81			Email thread dated February 18, 2017	P00054338-P00054340
82			Email thread dated March 22, 2017	P00058573-P00058574
83			Email thread dated August 25, 2017	P00059820-P00059821

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
84			Email thread dated January 10, 2013	P00060658
85			Email thread dated May 30, 2014	P00060581
86			Email thread dated August 24, 2016	P00060785
87			Email thread dated April 20, 2017	P00054800-P00054801
88			Email thread dated March 9, 2010, with attachments	P00061192-P00061200 P00061203-P00061207
89			Email thread dated March 25, 2010, with attachments	P00061208-P00061211
90			Email thread dated May 29, 2012	P00060583-P00060584
91			Email thread dated June 6, 2013, with attachment	P00054831-P00054833
92			Email thread dated April 6, 2015	P00054811-P00054813
93			Email thread dated April 6, 2015	P00054814-P00054817
94			Email thread dated June 27, 2017	P00058327-P00058332
95			Email thread dated August 29, 2017	P00053875-P00053880
96			Email thread dated June 27, 2017	P00058286-P00058290
97			Email thread dated July 24, 2012	P00061851-P00061864
98			Ex. A to Whole Woman's Health's 1st Supp. Responses to Interrogatories	Ex. A to Whole Woman's Health's 1st Supp. Responses to Interrogatories

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
99			Ex. A to Alamo City Surgery Center's 1st Supp. Responses to Interrogatories	Ex. A to Alamo City Surgery Center's 1st Supp. Responses to Interrogatories
100			Ex. A to Southwestern Women's Surgery Center's 1st Supp. Responses to Interrogatories	Ex. A to Southwestern Women's Surgery Center's 1st Supp. Responses to Interrogatories
101			Ex. A to Nova Health Systems, Inc.'s 1st Supp. Responses to Interrogatories	Ex. A to Nova Health Systems, Inc.'s 1st Supp. Responses to Interrogatories
102			Ex. A to Planned Parenthood of Greater Texas Surgical Health Services' 1st Supp. Responses to Interrogatories	Ex. A to Planned Parenthood of Greater Texas Surgical Health Services' 1st Supp. Responses to Interrogatories
103			Ex. A to Planned Parenthood Center for Choice's 1st Supp. Responses to Interrogatories	Ex. A to Planned Parenthood Center for Choice's 1st Supp. Responses to Interrogatories
104			Ex. A to Planned Parenthood South Texas Surgical Center's 1st Supp. Responses to Interrogatories	Ex. A to Planned Parenthood South Texas Surgical Center's 1st Supp. Responses to Interrogatories
105			Curtis Boyd's 1st Supp. Responses to Interrogatories	Curtis Boyd's 1st Supp. Responses to Interrogatories
106			Robin Wallace's 1st Supp. Responses to Interrogatories	Robin Wallace's 1st Supp. Responses to Interrogatories
107			Whole Woman's Health Consent and Information Forms	P00000660-P00000670
108			Whole Woman's Health Executed Consent and Information Forms	P00014612-P00014618
109			Southwestern Executed Consent Forms	P00007794-P00007800
110			Southwestern Executed Consent Forms	P00007756-P00007762
111			Planned Parenthood Greater Texas Executed Consent Forms	P00007990-P00007996
112			Illustrations at 16, 19, and 22 weeks LMP	Photographs attached to Colleen Malloy's Expert Report
113			Email thread dated October 30, 2017, with attachments	D005190-D005191, P00062172

Def. Exh. No.	Offered	Admitted	Description of Exhibit	Bates Number / Identifier
			<i>All exhibits identified on Plaintiffs' Trial Exhibit List</i>	
			<i>All materials referenced or relied upon by Plaintiffs' witnesses</i>	
			<i>All articles referenced or relied upon by Defendants' witnesses may be used at trial for any purpose permitted by the Federal Rules of Evidence.</i>	

Respectfully submitted.

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CERTIFICATE OF SERVICE

I certify that on October 30, 2017, this document was served through the Court's CM/ECF Document Filing System or through electronic mail, upon the following counsel of record:

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